

AMENDED IN SENATE AUGUST 17, 2016

AMENDED IN SENATE JUNE 30, 2016

AMENDED IN SENATE JUNE 13, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2568

Introduced by Assembly Member Atkins

February 19, 2016

An act to *amend Section 30025 of the Government Code, and to add Section 18986.89 to the Welfare and Institutions Code, relating to health and human services.*

LEGISLATIVE COUNSEL’S DIGEST

AB 2568, as amended, Atkins. ~~Integrated~~ *County integrated* health and human services program.

Existing law authorizes the Counties of Humboldt, Mendocino, and Alameda to implement a program for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system, subject to certain limitations.

This bill would authorize the County of San Diego, upon approval of the county board of ~~supervisors~~, *supervisors and the California Health and Human Services Agency*, to operate an integrated and comprehensive *county* health and human services system, as specified.

Existing law establishes the Local Revenue Fund 2011 to provide funding to counties for public safety services, including mental health and foster care services, among others. Existing law directs each county to establish a County Local Revenue Fund 2011 for receipt of funds allocated from the Local Revenue Fund 2011, and further directs the county to establish various accounts and subaccounts within the County

Local Revenue Fund 2011, including a Protective Services Subaccount and a Behavioral Health Subaccount. Existing law provides that a county authorized to operate an integrated and comprehensive county health and human services system may reallocate money between the Protective Services Subaccount and the Behavioral Health Subaccount, consistent with specified provisions.

This bill would provide that a county's reallocation of funds between the Protective Services Subaccount and the Behavioral Health Subaccount remains in effect for only the fiscal year in which the reallocation is made, and would require the county to report the reallocation to the Department of Finance and the Secretary of California Health and Human Services, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 30025 of the Government Code is
2 amended to read:
3 30025. (a) The Local Revenue Fund 2011 is hereby created
4 in the State Treasury and shall receive all revenues, less refunds,
5 derived from the taxes described in Sections 6051.15 and 6201.15;
6 revenues as may be allocated to the fund pursuant to Sections
7 11001.5 and 11005 of the Revenue and Taxation Code; and other
8 moneys that may be specifically appropriated to the fund.
9 (b) (1) (A) The Trial Court Security Account, the Local
10 Community Corrections Account, the Local Law Enforcement
11 Services Account, the Mental Health Account, the District Attorney
12 and Public Defender Account, the Juvenile Justice Account, the
13 Health and Human Services Account, the Reserve Account, and
14 the Undistributed Account are hereby created within the Local
15 Revenue Fund 2011.
16 (B) On September 15, 2012, all of the funds in the Trial Court
17 Security Account, the Local Community Corrections Account, the
18 Local Law Enforcement Services Account, the District Attorney
19 and Public Defender Account, and the Juvenile Justice Account
20 shall be distributed to the appropriate successor subaccounts and
21 special accounts as provided in paragraph (3), and on September
22 30, 2012, are abolished.

1 (C) On September 30, 2012, the Health and Human Services
2 Account is abolished.

3 (D) On January 1, 2013, the Reserve Account and the
4 Undistributed Account described in subparagraph (A) are
5 abolished.

6 (2) (A) The Support Services Account, the Law Enforcement
7 Services Account, and the Sales and Use Tax Growth Account are
8 hereby created within the Local Revenue Fund 2011.

9 (B) The Protective Services Subaccount, the Behavioral Health
10 Subaccount, and the County Intervention Support Services
11 Subaccount are hereby created within the Support Services
12 Account.

13 (C) The Trial Court Security Subaccount, the Enhancing Law
14 Enforcement Activities Subaccount, the Community Corrections
15 Subaccount, the District Attorney and Public Defender Subaccount,
16 and the Juvenile Justice Subaccount are hereby created within the
17 Law Enforcement Services Account.

18 (D) The Enhancing Law Enforcement Activities Growth Special
19 Account is hereby created within the Enhancing Law Enforcement
20 Activities Subaccount.

21 (E) The Support Services Growth Subaccount and the Law
22 Enforcement Services Growth Subaccount are hereby created
23 within the Sales and Use Tax Growth Account.

24 (F) The Protective Services Growth Special Account and the
25 Behavioral Health Services Growth Special Account are created
26 within the Support Services Growth Subaccount.

27 (G) The Women and Children's Residential Treatment Services
28 Special Account is hereby created in the Behavioral Health
29 Subaccount for the Women and Children's Residential Services
30 Treatment Program as described in Chapter 2.1 (commencing with
31 Section 11757.65) of the Welfare and Institutions Code.

32 (H) The Trial Court Security Growth Special Account, the
33 Community Corrections Growth Special Account, the District
34 Attorney and Public Defender Growth Special Account, and the
35 Juvenile Justice Growth Special Account are hereby created within
36 the Law Enforcement Services Growth Subaccount.

37 (3) On September 15, 2012, the funds in the following accounts
38 and subaccounts, and funds that subsequently would have been
39 deposited in the following accounts and subaccounts, shall be
40 transferred as follows:

1 (A) Funds in the Trial Court Security Account shall be
2 transferred to the Trial Court Security Subaccount.

3 (B) Funds in the Local Community Corrections Account shall
4 be transferred to the Community Corrections Subaccount.

5 (C) Funds in the Local Law Enforcement Services Account
6 shall be transferred to the Enhancing Law Enforcement Activities
7 Subaccount.

8 (D) Funds in the District Attorney and Public Defender Account
9 shall be transferred to the District Attorney and Public Defender
10 Subaccount.

11 (E) Funds in the Juvenile Justice Account shall be transferred
12 to the Juvenile Justice Subaccount.

13 (c) (1) (A) The Youthful Offender Block Grant Subaccount
14 and the Juvenile Reentry Grant Subaccount are hereby created
15 within the Juvenile Justice Account.

16 (B) On September 15, 2012, all of the funds in the Youthful
17 Offender Block Grant Subaccount and the Juvenile Reentry Grant
18 Subaccount shall be distributed to the appropriate successor special
19 accounts as provided in paragraph (3), and on September 30, 2012,
20 the subaccounts are abolished.

21 (2) The Youthful Offender Block Grant Special Account and
22 the Juvenile Reentry Grant Special Account are hereby created
23 within the Juvenile Justice Subaccount.

24 (3) On September 15, 2012, the funds in the following
25 subaccounts, and funds that subsequently would have been
26 deposited in the following subaccounts, shall be transferred as
27 follows:

28 (A) Funds in the Youthful Offender Block Grant Subaccount
29 shall be transferred to the Youthful Offender Block Grant Special
30 Account.

31 (B) Funds in the Juvenile Reentry Grant Subaccount shall be
32 transferred to the Juvenile Reentry Grant Special Account.

33 (d) (1) (A) The Adult Protective Services Subaccount, the
34 Foster Care Assistance Subaccount, the Foster Care Administration
35 Subaccount, the Child Welfare Services Subaccount, the Adoptions
36 Subaccount, the Adoption Assistance Program Subaccount, the
37 Child Abuse Prevention Subaccount, the Women and Children's
38 Residential Treatment Services Subaccount, the Drug Court
39 Subaccount, the Nondrug Medi-Cal Substance Abuse Treatment
40 Services Subaccount, and the Drug Medi-Cal Subaccount are

1 hereby created within the Health and Human Services Account
2 within the Local Revenue Fund 2011.

3 (B) On September 15, 2012, all of the funds in the Adult
4 Protective Services Subaccount, the Foster Care Assistance
5 Subaccount, the Foster Care Administration Subaccount, the Child
6 Welfare Services Subaccount, the Adoptions Subaccount, the
7 Adoption Assistance Program Subaccount, the Child Abuse
8 Prevention Subaccount, the Women and Children's Residential
9 Treatment Services Subaccount, the Drug Court Subaccount, the
10 Nondrug Medi-Cal Substance Abuse Treatment Services
11 Subaccount, and the Drug Medi-Cal Subaccount shall be distributed
12 to the appropriate successor subaccounts as provided in paragraph
13 (2), and on September 30, 2012, the subaccounts named in this
14 paragraph are abolished.

15 (2) On September 15, 2012, the funds in the following
16 subaccounts, and funds that subsequently would have been
17 deposited in the following subaccounts, shall be transferred as
18 follows:

19 (A) Funds in the Adult Protective Services Subaccount, the
20 Foster Care Assistance Subaccount, the Foster Care Administration
21 Subaccount, the Child Welfare Services Subaccount, the Adoptions
22 Subaccount, the Adoption Assistance Program Subaccount, and
23 the Child Abuse Prevention Subaccount shall be transferred to the
24 Protective Services Subaccount.

25 (B) Funds in the Drug Court Subaccount, the Nondrug Medi-Cal
26 Substance Abuse Treatment Services Subaccount, and the Drug
27 Medi-Cal Subaccount shall be transferred to the Behavioral Health
28 Subaccount.

29 (C) Funds in the Women and Children's Residential Treatment
30 Services Subaccount shall be transferred to the Women and
31 Children's Residential Treatment Services Special Account.

32 (e) Funds transferred to the Local Revenue Fund 2011 and its
33 accounts, subaccounts, and special accounts are, notwithstanding
34 Section 13340, continuously appropriated and shall be allocated
35 pursuant to statute exclusively for Public Safety Services as defined
36 in subdivision (i) and as further limited by statute. The moneys
37 derived from taxes described in subdivision (a) and deposited in
38 the Local Revenue Fund 2011 shall be available to reimburse the
39 General Fund for moneys that are advanced to the Local Revenue
40 Fund 2011. Additionally, all funds deposited in the Local Revenue

1 Fund 2011 and its accounts shall be available to pay for state costs
2 incurred during the 2011–12 fiscal year from state agency or
3 department appropriations authorized in the Budget Act of 2011
4 for the realignment of Public Safety Services programs during the
5 2011–12 legislative session. The Department of Finance is
6 authorized to determine the time, manner, and amount to be
7 reimbursed pursuant to this subdivision, provided that
8 reimbursement shall be made no later than December 1, 2012.

9 (f) (1) Each county treasurer, city and county treasurer, or other
10 appropriate official shall create a County Local Revenue Fund
11 2011 for the county or city and county.

12 (2) (A) Each county treasurer, city and county treasurer, or
13 other appropriate official shall create the Local Community
14 Corrections Account, the Trial Court Security Account, the District
15 Attorney and Public Defender Account, the Juvenile Justice
16 Account, the Health and Human Services Account, and the
17 Supplemental Law Enforcement Services Account within the
18 County Local Revenue Fund 2011 for the county or city and
19 county.

20 (B) On September 15, 2012, each county treasurer, city and
21 county treasurer, or other appropriate official shall distribute all
22 of the funds in the Local Community Corrections Account, the
23 Trial Court Security Account, the District Attorney and Public
24 Defender Account, the Juvenile Justice Account, the Health and
25 Human Services Account, and the Supplemental Law Enforcement
26 Services Account within the County Local Revenue Fund 2011
27 for the county or city and county to the appropriate successor
28 accounts as provided in paragraphs (7) and (8), and on September
29 30, 2012, each county treasurer, city and county treasurer, or other
30 appropriate official shall abolish the accounts described in
31 subparagraph (A).

32 (3) Each county treasurer, and city and county treasurer, or other
33 appropriate official, shall create the Support Services Account and
34 the Law Enforcement Services Account within the County Local
35 Revenue Fund 2011 for the county or city and county.

36 (4) Each county treasurer, and city and county treasurer, or other
37 appropriate official, shall create the Protective Services Subaccount
38 and the Behavioral Health Subaccount within the Support Services
39 Account.

1 (A) Any county or city and county may only annually reallocate
2 money between subaccounts in the Support Services Account,
3 provided that the reallocation may not exceed 10 percent of the
4 amount deposited in the immediately preceding fiscal year in the
5 subaccount in the Support Services Account with the lowest
6 balance.

7 (B) A county or city and county shall, at a regularly scheduled
8 public hearing of its governing body, document that any decision
9 to make any change in its allocation between the Protective
10 Services Subaccount or Behavioral Health Subaccount moneys
11 among services, facilities, programs, or providers as a result of
12 reallocating funds pursuant to subparagraph (A) was based on the
13 most cost-effective use of available resources to maximize client
14 outcomes.

15 (C) Any reallocation made pursuant to this paragraph shall only
16 be in effect for the fiscal year in which the reallocation is made,
17 and the reallocation shall be neither a permanent allocation nor a
18 permanent funding source for any program or service receiving
19 funds from the reallocation.

20 (D) Any county or city and county that reallocates funds
21 pursuant to this paragraph shall forward a copy of the
22 documentation in subparagraph (B) to the Controller. The
23 Controller shall make an annual report to the fiscal committees of
24 the Legislature of transfers made and shall forward copies of the
25 documentation to other interested parties upon request.

26 (E) *(i)* Notwithstanding subparagraph (A), any county
27 authorized to operate an integrated and comprehensive county
28 health and human services system pursuant to Chapter 12.95
29 (commencing with Section 18989), Chapter 12.96 (commencing
30 with Section 18986.60), or Chapter 12.991 (commencing with
31 Section 18986.86) of Part 6 of Division 9 of the Welfare and
32 Institutions Code may reallocate money between the Protective
33 Services Subaccount and the Behavioral Health Subaccount within
34 the Support Services Account of the County Local Revenue Fund
35 2011 established pursuant to paragraph (3), consistent with the
36 provisions and restrictions contained in Chapter 12.95
37 (commencing with Section 18989), Chapter 12.96 (commencing
38 with Section 18986.60), or Chapter 12.991 (commencing with
39 Section 18986.86) of Part 6 of Division 9 of the Welfare and
40 Institutions Code.

1 (ii) *A reallocation made pursuant to clause (i) shall be in effect*
2 *for only the fiscal year in which the reallocation is made and the*
3 *reallocation shall be neither a permanent allocation nor a*
4 *permanent funding source for any program or service receiving*
5 *funds from the reallocation.*

6 (iii) *A county or city and county that reallocates funds pursuant*
7 *to clause (i) shall make a report to the Department of Finance and*
8 *the Secretary of California Health and Human Services describing*
9 *the reallocation made for that fiscal year.*

10 (F) The Counties of Alameda, Los Angeles, Marin, San Diego,
11 San Francisco, and San Joaquin shall create, within the Behavioral
12 Health Subaccount created pursuant to this paragraph, a County
13 Women and Children's Residential Treatment Services Special
14 Account.

15 (5) Each county treasurer, city and county treasurer, or other
16 appropriate official shall create the following subaccounts and
17 special accounts for each respective county or city and county:

18 (A) The Trial Court Security Subaccount, the Enhancing Law
19 Enforcement Activities Subaccount, the Community Corrections
20 Subaccount, the District Attorney and Public Defender Subaccount,
21 the Juvenile Justice Subaccount, and the Local Innovation
22 Subaccount within the Law Enforcement Services Account.

23 (B) The Youthful Offender Block Grant Special Account and
24 the Juvenile Reentry Grant Special Account within the Juvenile
25 Justice Subaccount.

26 (6) (A) Each county treasurer, city and county treasurer, or
27 other appropriate official shall create, if so directed by the board
28 of supervisors, a Support Services Reserve Subaccount in the
29 Support Services Account.

30 (B) A county's or city and county's board of supervisors shall
31 have the authority to reallocate funds from the Protective Services
32 Subaccount or the Behavioral Health Subaccount, or both, to the
33 Support Services Reserve Subaccount in an amount equal to, or
34 less than, 5 percent of the total funds allocated to those subaccounts
35 from the corresponding State Treasury subaccounts for the
36 immediately preceding fiscal year, provided that no reallocation
37 may occur that would cause the Support Services Reserve
38 Subaccount to exceed 5 percent of the total funds allocated to the
39 Protective Services Subaccount and the Behavioral Health
40 Subaccount from the corresponding State Treasury subaccounts

1 for the immediately preceding fiscal year. The county's or city
2 and county's board of supervisors shall have the authority to spend
3 moneys deposited in the Support Services Reserve Subaccount as
4 they would any funds in the Protective Services Subaccount or the
5 Behavioral Health Subaccount. The authorization to make this
6 reallocation or to appropriate the funding may only be made in a
7 duly noticed public meeting. The county or city and county shall
8 document any reallocations that occurred in the previous fiscal
9 year by September 30 and shall forward a copy of the
10 documentation to the Controller. The Controller shall make an
11 annual report to the fiscal committees of the Legislature of
12 reallocations made and shall forward copies of the documentation
13 to other interested parties upon request.

14 (7) On September 15, 2012, each county treasurer, city and
15 county treasurer, or other appropriate official shall distribute all
16 of the funds in the Local Community Corrections Account, the
17 Trial Court Security Account, the District Attorney and Public
18 Defender Account, the Juvenile Justice Account, the Youthful
19 Offender Block Grant Subaccount, the Juvenile Reentry Grant
20 Subaccount, and the Supplemental Law Enforcement Services
21 Account within the County Local Revenue Fund 2011 for the
22 county or city and county to the appropriate successor subaccounts
23 and special accounts as follows:

24 (A) Funds in the Local Community Corrections Account shall
25 be transferred to the Community Corrections Subaccount.

26 (B) Funds in the Trial Court Security Account shall be
27 transferred to the Trial Court Security Subaccount.

28 (C) Funds in the District Attorney and Public Defender Account
29 shall be transferred to the District Attorney and Public Defender
30 Subaccount.

31 (D) Funds in the Juvenile Justice Account shall be transferred
32 to the Juvenile Justice Subaccount.

33 (E) Funds in the Youthful Offender Block Grant Subaccount
34 shall be transferred to the Youthful Offender Block Grant Special
35 Account.

36 (F) Funds in the Juvenile Reentry Grant Subaccount shall be
37 transferred to the Juvenile Reentry Grant Special Account.

38 (G) Funds in the Supplemental Law Enforcement Services
39 Account shall be transferred to the Enhancing Law Enforcement
40 Activities Subaccount.

(8) On September 15, 2012, each county treasurer, city and county treasurer, or other appropriate official shall distribute the funds in the Health and Human Services Account within the County Local Revenue Fund 2011 for the county or city and county to the appropriate successor accounts and subaccounts as follows:

(A) Funds that a county or city and county received from the Adult Protective Services Subaccount, the Foster Care Assistance Subaccount, the Foster Care Administration Subaccount, the Child Welfare Services Subaccount, the Adoptions Subaccount, the Adoption Assistance Program Subaccount, and the Child Abuse Prevention Subaccount in the Local Revenue Fund 2011 shall be transferred to the Protective Services Subaccount in the County Local Revenue Fund 2011.

(B) Funds that a county or city and county received from the Drug Court Subaccount, the Nondrug Medi-Cal Substance Abuse Treatment Services Subaccount, and the Drug Medi-Cal Subaccount in the Local Revenue Fund 2011 shall be transferred to the Behavioral Health Subaccount in the County Local Revenue Fund 2011.

(C) Funds that a county or city and county received from the Women and Children's Residential Treatment Services Subaccount shall be transferred to the Women and Children's Residential Treatment Services Special Account within the Behavioral Health Subaccount.

(9) The moneys in the County Local Revenue Fund 2011 for each county or city and county and its accounts shall be exclusively used for Public Safety Services as defined in subdivision (i) and as further described in this section.

(10) The moneys in and transferred from the Trial Court Security Account, and the moneys in its successor subaccount and special account, the Trial Court Security Subaccount and the Trial Court Security Growth Special Account, shall be used exclusively to fund trial court security provided by county sheriffs. No general county administrative costs may be charged to this account, including, but not limited to, the costs of administering the account.

(11) The moneys in and transferred from the Local Community Corrections Account, and the moneys in its successor subaccount and special account, the Community Corrections Subaccount and the Community Corrections Growth Special Account, shall be the source of funding for the provisions of Chapter 15 of the Statutes

1 of 2011. This funding shall not be used by local agencies to
2 supplant other funding for Public Safety Services. This account,
3 subaccount, and special account shall be the source of funding for
4 the Postrelease Community Supervision Act of 2011, as enacted
5 by Section 479 of Chapter 15 of the Statutes of 2011, and to fund
6 the housing of parolees in county jails.

7 (12) The moneys in and transferred from the District Attorney
8 and Public Defender Account, and the moneys in its successor
9 subaccount and special account, the District Attorney and Public
10 Defender Subaccount and the District Attorney and Public
11 Defender Growth Special Account, shall be used exclusively to
12 fund costs associated with revocation proceedings involving
13 persons subject to state parole and the Postrelease Community
14 Supervision Act of 2011 (Title 2.05 (commencing with Section
15 3450) of Part 3 of the Penal Code), and may be used to fund
16 planning, implementation, and training costs for those proceedings.
17 The moneys shall be allocated equally by the county or city and
18 county to the district attorney's office and county public defender's
19 office, or where no public defender's office is established, to the
20 county for distribution for the same purpose.

21 (13) The moneys in and transferred from the Juvenile Justice
22 Account, and the moneys in its successor subaccount and special
23 account, the Juvenile Justice Subaccount and the Juvenile Justice
24 Growth Special Account, shall only be used to fund activities in
25 connection with the grant programs described in this paragraph.

26 (A) The Youthful Offender Block Grant Subaccount, and its
27 successor, the Youthful Offender Block Grant Special Account,
28 shall be used to fund grants solely to enhance the capacity of county
29 probation, mental health, drug and alcohol, and other county
30 departments to provide appropriate rehabilitative, housing, and
31 supervision services to youthful offenders, subject to Sections
32 731.1, 733, 1766, and 1767.35 of the Welfare and Institutions
33 Code. Counties, in expending an allocation from this subaccount
34 or special account, shall provide all necessary services related to
35 the custody and parole of the offenders.

36 (B) The Juvenile Reentry Grant Subaccount, and its successor,
37 the Juvenile Reentry Grant Special Account, shall be used to fund
38 grants exclusively to address local program needs for persons
39 discharged from the custody of the Department of Corrections and
40 Rehabilitation, Division of Juvenile Facilities. County probation

1 departments, in expending the Juvenile Reentry Grant allocation,
2 shall provide evidence-based supervision and detention practices
3 and rehabilitative services to persons who are subject to the
4 jurisdiction of the juvenile court, and who were committed to and
5 discharged from the Department of Corrections and Rehabilitation,
6 Division of Juvenile Facilities. “Evidence-based” refers to
7 supervision and detention policies, procedures, programs, and
8 practices demonstrated by scientific research to reduce recidivism
9 among individuals on probation or under postrelease supervision.
10 The funds allocated from this subaccount or special account shall
11 supplement existing services and shall not be used by local agencies
12 to supplant any existing funding for existing services provided by
13 those entities. The funding provided from this subaccount or special
14 account is intended to provide payment in full for all local
15 government costs of the supervision, programming, education,
16 incarceration, or any other cost resulting from persons discharged
17 from custody or held in local facilities pursuant to the provisions
18 of Chapter 729 of the Statutes of 2010.

19 (14) The moneys in and transferred from the Supplemental Law
20 Enforcement Services Account, and the moneys in its successor
21 subaccount, the Enhancing Law Enforcement Activities
22 Subaccount, and moneys in the Enhancing Law Enforcement
23 Activities Growth Special Account, shall be used to provide grants
24 and funding to local law enforcement as provided by statute.

25 (15) Notwithstanding any other provision of this section, the
26 moneys in the Local Innovation Subaccount shall be used to fund
27 local needs. The board of supervisors of a county or city and county
28 shall have the authority to spend money deposited in the Local
29 Innovation Subaccount as it would any funds in the Juvenile Justice
30 Subaccount, the District Attorney and Public Defender Subaccount,
31 the Community Corrections Subaccount, or the Trial Court Security
32 Subaccount.

33 (16) The moneys in and transferred from the Health and Human
34 Services Account and its subaccounts and the moneys in its
35 successor account, the Support Services Account, and the moneys
36 in the Protective Services Subaccount and the Behavioral Health
37 Subaccount shall be used only to fund activities performed in
38 connection with the programs described in this subdivision. Except
39 as provided in subdivisions (c) and (d), as restricted by subdivision
40 (e), of Section 30026.5, counties and cities and counties shall pay

1 100 percent of the nonfederal costs of the programs described in
2 this subdivision using funds allocated from the Local Revenue
3 Fund, the Local Revenue Fund 2011, and any required matching
4 expenditures. Funds shall be used in a manner that maintains
5 eligibility for federal funding.

6 (A) The moneys in the Protective Services Subaccount and the
7 Protective Services Growth Special Account shall be used
8 exclusively to fund the following:

9 (i) Adult protective services described in statute and regulation.

10 (ii) Foster care grants and services as those services are
11 described in statute, regulation, and the Title IV-E Child Welfare
12 Waiver Demonstration Capped Allocation Project.

13 (iii) The administrative costs of foster care services as those
14 services are described in statute, regulation, and the Title IV-E
15 Child Welfare Waiver Demonstration Capped Allocation Project.

16 (iv) The costs of child welfare services as those services are
17 described in statute, regulation, and the Title IV-E Child Welfare
18 Waiver Demonstration Capped Allocation Project.

19 (v) The costs connected with providing adoptive services,
20 including agency adoptions, as described in statute and regulation,
21 including the costs incurred by the county or city and county if the
22 county or city and county elects to contract with the state to provide
23 those services.

24 (vi) The costs of child abuse prevention, intervention, and
25 treatment services as those costs and services are described in
26 statute and regulation.

27 (vii) The administrative costs and payments for families adopting
28 children with special needs.

29 (B) The moneys in the Behavioral Health Subaccount and the
30 Behavioral Health Services Growth Special Account shall be used
31 exclusively to fund the following:

32 (i) Residential perinatal drug services and treatment as those
33 services and treatment are described in statute and regulation.

34 (ii) Drug court operations and services as those costs are
35 currently permitted and described by statute and regulation.

36 (iii) Nondrug Medi-Cal substance abuse treatment programs,
37 as described in statute and regulation.

38 (iv) The Drug Medi-Cal program as that program is described
39 in statute, regulation, or the State Plan or its amendment or
40 amendments.

1 (v) Medi-Cal specialty mental health services, including the
2 Early and Periodic Screening, Diagnosis, and Treatment Program
3 and mental health managed care, as described in statute, regulation,
4 the managed care waiver provisions of Title XIX of the federal
5 Social Security Act (42 U.S.C. Sec. 1396n), or the State Plan or
6 its amendment or amendments.

7 (C) The moneys in the Women and Children's Residential
8 Treatment Services Special Account shall be used exclusively to
9 fund the Women and Children's Residential Treatment Services
10 program, as described in Chapter 2.1 (commencing with Section
11 11757.65) of the Welfare and Institutions Code.

12 (g) The moneys in the Reserve Account shall be used to fund
13 entitlements paid from the Foster Care Assistance Subaccount, the
14 Drug Medi-Cal Subaccount, and the Adoption Assistance Program
15 Subaccount of the Health and Human Services Account after the
16 funding of any entitlements for the 2011–12 fiscal year, and not
17 later than December 1, 2012.

18 (h) The moneys in the Undistributed Account shall be used to
19 reimburse the General Fund for costs incurred and expenditures
20 made by the state on behalf of any local government entity in
21 providing Public Safety Services, as defined in subdivision (i),
22 after all 2011–12 costs have been reimbursed, but not later than
23 December 1, 2012.

24 (i) For purposes of this section, "Public Safety Services" shall
25 include all of the following:

26 (1) Employing and training public safety officials, including
27 law enforcement personnel, attorneys assigned to criminal
28 proceedings, and court security staff.

29 (2) Managing local jails and providing housing, treatment, and
30 services for, and supervision of, juvenile and adult offenders.

31 (3) Preventing child abuse, neglect, or exploitation; providing
32 services to children and youth who are abused, neglected, or
33 exploited, or who are at risk of abuse, neglect, or exploitation, and
34 the families of those children; providing adoption services; and
35 providing adult protective services.

36 (4) Providing mental health services to children and adults in
37 order to reduce failure in school, harm to themselves and others,
38 homelessness, and preventable incarceration or institutionalization.

39 (5) Preventing, treating, and providing recovery services for
40 substance abuse.

(j) The realignment moneys collected by the state and distributed to the local governmental entities pursuant to this article shall be considered state funds for the purposes of the political subdivision provision of the nonfederal share of Medicaid expenditures for purposes of Section 5001(g)(2) of the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5) and Section 100201(c)(6) of the federal Patient Protection and Affordable Care Act (Public Law 111-148). Although the realignment moneys shall be considered state proceeds of taxes, they are not General Fund revenues.

(k) The receipt of funding by each county or city and county pursuant to this chapter shall be contingent upon the creation of the accounts, subaccounts, and special accounts required by this chapter in each county's, or city and county's treasury.

~~SECTION 1.~~

SEC. 2. Section 18986.89 is added to the Welfare and Institutions Code, to read:

18986.89. (a) (1) Notwithstanding the dates provided in subdivisions (a) and (b) of Section 18986.87, the County of San Diego may, upon approval of the county board of supervisors, operate an integrated and comprehensive *county* health and human services system.

(2) *A system described in paragraph (1) shall comply with the requirements of this section and is subject to the approval of the California Health and Human Services Agency. The California Health and Human Services Agency shall grant approval if the county furnishes a certified copy of a current ordinance or resolution authorizing an integrated and comprehensive health and human services system in that county.*

(b) In providing services through an integrated system to families and individuals, the system may, among other things, do both of the following:

(1) Maintain and evaluate a system of administration that integrates and coordinates the management and support of client services.

(2) Maintain a system of reporting and accountability that provides for the combined provision of services without the loss of state or federal funds provided under current law.

1 (c) The integrated and comprehensive county health and human
2 services system may include, but not be limited to, any or all of
3 the following:

- 4 (1) Adoption services.
- 5 (2) Child abuse prevention services.
- 6 (3) Child welfare services.
- 7 (4) Delinquency prevention services.
- 8 (5) Drug and alcohol services.
- 9 (6) Mental health services.
- 10 (7) Eligibility determination.
- 11 (8) Employment and training services.
- 12 (9) Foster care services.
- 13 (10) Health services.
- 14 (11) Public health services.
- 15 (12) Housing services.
- 16 (13) Medically indigent program services.
- 17 (14) ~~Veteran's~~ Veterans' services.
- 18 (15) Aging services.
- 19 (16) Any other related program as designated by the board of
20 supervisors.

21 (d) The county shall comply with all applicable state and federal
22 privacy laws that govern medical and social service information,
23 including, but not limited to, the Confidentiality of Medical
24 Information Act (Part 2.6 (commencing with Section 56) of
25 Division 1 of the Civil Code), the federal Health Insurance
26 Portability and Accountability Act (HIPAA), and Sections 827,
27 5328, and 10850.

28 (e) Programs or services shall be included in the system only
29 to the extent that federal funding to either the state or the county
30 will not be reduced as a result of the inclusion of the services in
31 the project.

32 (f) ~~This chapter~~ *section* shall not authorize the county to
33 discontinue meeting its obligations under current law to provide
34 services or to reduce its accountability for the provision of these
35 services.

36 (g) The county shall utilize any and all state general funds and
37 county funds that it is legally allocated or entitled to receive.
38 Through the creation of integrated health and social services
39 structures, the county shall maximize federal matching funds. This

1 integration shall not result in increased expenditures from the *State*
2 General Fund.

3 (h) The appropriate state departments, as designated by the
4 Secretary of Health and Human Services, that are assisting,
5 participating, and cooperating in the program authorized by this
6 ~~chapter~~ *section* shall have the authority to waive regulations, with
7 the concurrence of the county, regarding the method of providing
8 services and the method of reporting and accountability, as may
9 be required to meet the goals set forth in subdivision (b). However,
10 the departments shall not waive regulations pertaining to privacy
11 and confidentiality of records, civil service merit systems, or
12 collective bargaining. The departments shall not waive regulations
13 if the waiver results in a diminished amount or level of services
14 or benefits to eligible recipients as compared to the benefits and
15 services that would have been provided to recipients absent the
16 waiver.

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